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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Plaintiff,

vs.

ARISTA NETWORKS, INC.,

Defendant.

CASE NO. 5:14-cv-5344-BLF (NC)

**DECLARATION OF SARA E. JENKINS
IN SUPPORT OF CISCO'S RULE 50(b)
MOTION FOR JUDGMENT AS A
MATTER OF LAW**

Dept: Courtroom 3 - 5th Floor
Hearing Date: April 27, 2017
Hearing Time: 9:00 am
Judge: Hon. Beth Labson Freeman

DECLARATION OF SARA E. JENKINS

I, Sara E. Jenkins, hereby declare as follows:

1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate with the law firm Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Cisco Systems, Inc. (“Cisco”). I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.

2. Attached hereto as Exhibit A is a true and correct copy of transcript excerpts from the trial of *Cisco Systems, Inc. v. Arista Networks, Inc.*, Case No. 5:14-cv-5344-BLF (NC) (“the *Cisco v. Arista* trial”).

3. Attached hereto as **Exhibit B** is a true and correct copy of a document titled “IEEE Standard for Local and metropolitan area networks—Port-Based Network Access Control,” admitted as Trial Exhibit 6801 in the *Cisco v. Arista* trial.

4. Attached hereto as **Exhibit C** is a true and correct copy of an e-mail dated January 12, 1999 from Phillip Remaker to Carl Schaefer et al., admitted as Trial Exhibit 5175 in the *Cisco v. Arista* trial.

5. Attached hereto as **Exhibit D** is a true and correct copy of an excerpt of the deposition transcript of Douglas Gourlay, taken on May 20, 2016 and played at trial for the jury and lodged with the Court, *see* Tr. 2265:9-10.

6. Attached hereto as Exhibit E is a true and correct copy of a document titled “Cisco NX-OS – Networking Software,” admitted as Trial Exhibit 5454 in the *Cisco v. Arista* trial.

7. Attached hereto as **Exhibit F** is a true and correct copy of a document titled “Ram Kavasseri, Garry Horoupien, Draft v16, 2/8/06,” admitted as Trial Exhibit 5134 in the *Cisco v. Arista* trial.

8. Attached hereto as **Exhibit G** is a true and correct copy of an excerpt of the deposition transcript of Gavin Cato, taken on May 20, 2016 and played at trial for the jury and lodged with the Court, *see* Tr. 2326:22-23.

9. Attached hereto as **Exhibit H** is a true and correct copy of a transcription from "Packet Pushers Podcast" with Kenneth Duda, admitted as Trial Exhibit 203-A in the *Cisco v. Arista* trial.

10. Attached hereto as **Exhibit I** is a true and correct copy of Cisco's proposed Summary Exhibit: "Command Expression Copying," comparing each individual "Cisco CLI Command Expression" to its corresponding "Arista CLI Command Expression."

11. Attached hereto as Exhibit J is a true and correct copy of Cisco's Summary Exhibit: "Modes & Prompts," admitted as Trial Exhibit 4794 in the *Cisco v. Arista* trial.

12. Attached hereto as Exhibit K is a true and correct copy of Cisco's Summary Exhibit: "Help Description Analysis," admitted as Trial Exhibit 4799 in the *Cisco v. Arista* trial.

13. Attached hereto as Exhibit L is a true and correct copy of Cisco's Summary Exhibit: "Output Copying," admitted as Trial Exhibit 4800 in the *Cisco v. Arista* trial.

14. Attached hereto as **Exhibit M** is a true and correct copy of Arista's Summary Exhibit: "Asserted Cisco Command Abstraction," "Accused Arista Command Abstraction," and "Actual Documented Arista EOS Command Syntax," admitted as Trial Exhibit 9037 in the *Cisco v. Arista* trial.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed in Redwood Shores, California on January 17, 2017.

By /s/ Sara E. Jenkins
Sara E. Jenkins

1 **SIGNATURE ATTESTATION**

2 Pursuant to Civ. L.R. 5-1(i)(3), the undersigned hereby attests under penalty of perjury that
3 concurrence in the filing of this document has been obtained from the signatory indicated by the
4 "conformed" signature (/s/) of registered ECF User Sara E. Jenkins.

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7 Dated: January 17, 2017

/s/ Kathleen M. Sullivan
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